

## REMARKS

The foregoing amendments and the following remarks are responsive to the Office Action mailed March 3, 2004. Applicants respectfully request reconsideration of the present application.

Claims 1-31 are pending. No claims have been amended, cancelled, or added. Therefore, claims 1-31 are presented for examination.

Claims 6-12, 14, 18-22 and 25-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants wish to thank the Examiner for the careful examination and for finding these claims allowable.

Examiner rejected claims 1, 2, 5, 13, 15-17, 23, 24, 30 and 31 under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 6,392,636 issued to Ferrari, et al. ("Ferrari"). Examiner rejected claims 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over Ferrari in view of U.S. Patent No. 5,732,148 issued to Keagy, et al. ("Keagy").

Ferrari describes a capacitive touchpad device that can operate as a pointer control device and a fingerprint recognition device. The fingerprint recognition occurs when user first logs onto the computer, the array of Ferrari captures a fingerprint pattern that is used to determine user-authorization. Thereafter, Ferrari's array is used to provide screen cursor/pointer control. (Ferrari, col. 4, lines 29-33). The touchpad of Ferrari operates as a fingerprint recognition device only when the user first logs on. Thereafter the touchpad device functions solely as a pointer control device. Therefore Ferrari does not teach or suggest configuring the touchpad to operate as both a fingerprint sensor and cursor control based on parameters.

In contrast, claim 1 recites:

1. A touchpad device configurable to be a pointer control device and a fingerprint recognition device, the touchpad device comprising:
  - a detection array having a detection surface, wherein the detection surface is configured to receive a fingerprint image;
  - a processing device to receive image data from the detection array, the processing device further to configure the touchpad device to operate as the pointer control device to move a cursor or the fingerprint recognition device based upon parameters associated with the image data.

(Claim 1) (emphasis added). Ferrari does not teach or suggest a touchpad device configurable to be a pointer control device and a fingerprint recognition device based upon the parameters associated with the image data. Rather, Ferrari teaches a touchpad device that operates as a fingerprint recognition device only during initial log-on and thereafter is only capable of operating as a pointer control device. Thus Ferrari does not teach how to configure the touchpad device to be a fingerprint recognition device after initial log-on.

Examiner references column 4, lines 29-40 of Ferrari. Applicant respectfully wishes to point out that column 4, lines 29-40 states, "when the user first logs onto the computer, the array of this invention captures a fingerprint pattern that is used to determine user-authorization. Thereafter, the array is used to provide screen cursor/pointer control, with the cursor/pointer moving across the screen by virtue of the position of a fingertip on the upper surface of the array." Therefore, Ferrari directly teaches away from a touchpad device that configures to be a fingerprint recognition device or a pointer control device based upon parameters associated with the image data.

Furthermore, Examiner references column 6, lines 50-56 of Ferrari. Column 6, lines 50-56 refer to figure 1 of Ferrari which discusses capacitive devices that "operate to provide a serial signal electrical output that comprises a multiple pixel fingerprint pattern, or electrical signal picture of a fingerprint." Applicant respectfully wishes to point out that Figure 1 of Ferrari does not discuss switching functionality between

fingerprint recognition and pointer control. Therefore, Ferrari does not teach or suggest a touchpad device that can be configured for pointer movement control and for fingerprint recognition based on certain parameters, as recited in the claims.

Therefore, claim 1, as amended, is not obvious over or anticipated by Ferrari. Claims 2 and 5-14 depend on claim 1, and incorporate its limitations. Therefore, for at least the same reasons advanced above with respect to claim 1, claim 2 and 5-14 are not anticipated by Ferrari.

Similarly, claim 15 recites:

15. A multi-function device configurable to be a pointer control device and a fingerprint recognition device, the multi-function device comprising:  
means for supplying a fingerprint image to a detection surface of a detection array;  
means for processing the fingerprint image supplied to the detection array, wherein the means for processing configures the multi-function device to operate as the pointer movement control device or the fingerprint recognition device based upon parameters associated with the fingerprint image.

(Claim 15). As discussed above with respect to claim 1, Ferrari does not teach or suggest a device configurable to operate as a fingerprint recognition device and a pointer control device based on certain parameters. Rather Ferrari operates as a fingerprint recognition device only during initial log-on but not thereafter. Therefore, claim 15 is not anticipated by Ferrari. Claims 16-22 depend on claim 15 and incorporate its limitations. Therefore, for at least the same reasons advanced with respect to claim 15, claims 16-22 are not anticipated by Ferrari.

Claims 23 recites:

23. A method of analyzing a fingerprint image to configure the operation of a multi-function device, the multi-function device configurable to be a pointer movement control device and a fingerprint recognition device, the method comprising:  
supplying a fingerprint image to a detection surface of a detection array;  
analyzing select fingerprint parameters associated with the fingerprint image;  
configuring the multi-function device to operate as the pointer movement control device or the fingerprint recognition device based upon the fingerprint parameters associated with the fingerprint image.

(Claim 23) As discussed above with respect to claim 1, Ferrari does not teach or suggest a touchpad device that configures to operate as a fingerprint recognition device and a pointer control device based on certain parameters. Rather Ferrari is configured to operate as a fingerprint recognition device only during initial log-on but not thereafter. Therefore, claim 23 is not anticipated by Ferrari. Claims 24-31 depend on claim 23 and incorporate its limitations. Therefore, for at least the same reasons advanced with respect to claim 23, claims 24-31 are not anticipated by Ferrari.

Examiner rejected claims 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,392,636 issued to Ferrari, et al. in view of U.S. Patent No. 5,732,148 issued to Keagy, et al. Claims 3-4 depend on claim 1, and incorporate its limitations.

As discussed above, Ferrari teaches a touchpad that may be used for initial log-on and cursor control. However, the touchpad mechanism of Ferrari operates as a fingerprint recognition device only when system is first booted. Ferrari does not teach or suggest configuring the function of the touchpad based upon fingerprint parameters. Keagy discusses a sheet prism based fingerprint sensor. Keagy does not teach or suggest configurability based upon parameters associated with the image data. Thus, Keagy does not overcome the shortcomings of Ferrari. Ferrari and Keagy combined do not teach or suggest the use of fingerprint parameters to configure the device to either capture a fingerprint for identification or to use the fingerprint for pointer movement control. Therefore, claims 3-4 are not obvious over Ferrari in view of Keagy.

In view of the foregoing amendments and remarks, Applicants respectfully submit that all pending claims are in condition for allowance. Such allowance is respectfully requested.

If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to contact Judith A. Szepesi at (408) 720-8300.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

Date:

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